

Remarks

Summary: Rejected claims 1 and 25 have been canceled without prejudice to the patentability of such claims. Objected-to claims have been amended to either become independent (claims 2, 4, 29, 31, & 33) or to become dependent on a now-allowable claim (claims 5, 9, & 34). Objected to claims 3, 6, 35 are dependent on a now-allowable claim. Allowable claims 13-16, & 21 have been amended to correct antecedents, without changing the scope of the claims. Allowable claims 10-12, 17-20, 22-24, 36-38 remain as original claims. Claim 8 has been amended to avoid the indefiniteness rejection. Rejected claim 7 has been amended to become dependent on objected-to, newly-independent claim 2. Rejected claims 26-28 have been amended to become dependent on objected-to, newly-independent claim 29. Rejected claim 30 remains dependent on claim 29, and is believed to be allowable based on the new independent status of claim 29. Rejected claim 32 remains dependent on claim 31, and is believed to be allowable based on claim 31 becoming newly-independent. Claim 39 has been added to define a new fifth value and a change in the first value, and is dependent on claim 6. In view of the amendments and allowances, allowance of all pending claims is requested.

Claim 8: Consideration of amended claim 8 as complying with 35 USC 112, second paragraph, is respectfully requested. Parent claim 2 defines the first descriptor buffer. Antecedents are now provided in that claim 8 now defines a free descriptor buffer list, and refers to taking of the first descriptor buffer from that free descriptor buffer list. This taking conforms to the specification at paragraph 50, regarding the “Second” and “Third” examples that apply to the descriptor buffer and the free descriptor buffer list (page 28, the “middle may be anywhere between the head and the tail”, and last sentence of paragraph 0050, “allows the taking of the descriptor buffer...from any of the positions on the free descriptor buffer list...”). Withdrawal of the rejection is respectfully requested. There having been no other rejection of claim 8, and with claim 8 being dependent on claim 7, and claim 7 being dependent on newly-independent claim 2, allowance of amended claim 8 is respectfully requested.

Objected-To Claims: Appreciation is expressed for the indication that certain claims would become allowable if suitably amended to become independent claims. Consideration of each of claims 2, 4, 29, 31, & 33 as being amended to overcome the objection is respectfully requested. These claims have been amended to be independent, and to include all of the limitations of claim 1 (claims 2 & 4) and claim 25 (claim 29, 31 & 33) on which the respective claim was dependent. Allowance of amended claims 2, 4, 29, 31, & 33 is therefore requested.

Consideration of claim 3 as being allowable is respectfully requested. Claim 3 is dependent on claim 2, a now-allowable independent claim that includes all of the limitations of claim 1. Allowance of amended claim 3 is therefore requested.

Consideration of claim 9 as being allowable is respectfully requested. Claim 9 is amended to become dependent on claim 2, a now-allowable independent claim that includes all of the limitations of claim 1. Allowance of amended claim 9 is therefore requested.

Consideration of claim 5 as being amended to overcome the objection is respectfully requested. Claim 5 has been amended to become dependent on claim 4, a now-allowable independent claim that includes all of the limitations of claim 1 on which claim 5 was dependent. Allowance of amended claim 5 is therefore requested.

Claim 6 is dependent on claim 5, a now-allowable dependent claim based on claim 4 as noted above. Claim 6 has also been amended to define a second data buffer to provide an antecedent for "the second data buffer" recited in the second clause that starts : "the buffer cache is further...". Also, in view of the recitation of "a second descriptor buffer" in that same second clause, the next clause now refers to "the second descriptor buffer". In this manner, before the change to the third value the second data buffer and the second descriptor buffer are both associated. By the fourth value the second descriptor buffer identifies the second data buffer as being free. In view of the association of the second descriptor buffer and the first data buffer via the change in the third value, the last clause has been amended to refer to the third (not the fourth) value in regard to taking the first data buffer and the second descriptor buffer. Allowance of amended claim 6 is respectfully requested.

In view of amended claim 29, allowance of claims 30, 32, 34, & 35 is

respectfully requested. Claim 30 is dependent on claim 29 indicated as objected to. Claim 29 has been amended to become an independent claim in allowable form, thus claim 30 should be allowable. Claim 34 has also been amended to become dependent on claim 29, indicated as objected to, and now rewritten as an independent claim to be in allowable form, thus claim 34 should be allowable. Claim 35 is dependent on claim 34, and should thus be allowable.

Allowed Claims: Appreciation is expressed for the indication that claims 10-24, and 36-38 are allowable.

Acceptance of the amendment to claim 13 as not changing the scope of the claim is respectfully requested. The association of the previously-defined "one" descriptor buffer is now defined as being "with one of the data buffers". This provides antecedent for "the one data buffer" in the last clause, without changing the scope of the claim. Continued allowance of claim 13 is respectfully requested.

Acceptance of the amendment to claim 14 as not changing the scope of the claim is respectfully requested. In the second clause, the addition of "free" is consistent with the antecedent "free descriptor buffer link list". The addition of "associated" to "free data buffer" is consistent with the antecedent "each of the associated data buffer..." in the previous clause. This provides consistency with the reference to "unlink the free associated descriptor buffer..." in the same clause, without changing the scope of the claim. Continued allowance of claim 14 is respectfully requested.

Acceptance of the amendment to claim 15 as not changing the scope of the claim is respectfully requested. The phrase "before the state of completion of processing of that associated descriptor buffer becomes complete" has been amended to conform the phrase to the previous recitation of "the state of completion of processing of that first associated data buffer becomes complete". Also, the addition of "buffer" is consistent with the antecedent "free descriptor buffer link list". Continued allowance of claim 15 is respectfully requested.

Acceptance of the amendment to claim 16 as not changing the scope of the claim is respectfully requested. The change to "the" (relating to "second of the data

requests”) is consistent with the antecedent in claim 15 “second data access request”, that is in the last line of claim 15. Continued allowance of claim 16 is respectfully requested.

Acceptance of the amendment to claim 21 as not changing the scope of the claim is respectfully requested. The change to “specified” portion of the data conforms to the antecedent in claim 17. The changes to lines 3-6 correct the grammar in reference to the buffer cache without changing the scope of the claim. Continued allowance of claim 21 is respectfully requested.

Rejected Claims: Rejected claim 7 has been amended to become dependent on objected-to, newly-independent claim 2. A clause in claim 2 (in regard to the first descriptor buffer) has been deleted from claim 7. Since claim 2 has been amended to be independent and to include all of the limitations of claim 1 and to become allowable, allowance of amended claim 7 is requested.

Rejected claims 26-28 have been amended to become dependent on objected-to, newly-independent claim 29. Allowance of claims 26-28 is respectfully requested based on the new independent status of claim 29.

Rejected claim 30 remains dependent on claim 29. Allowance is respectfully requested based on the new independent status of claim 29.

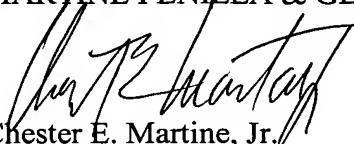
Rejected claim 32 remains dependent on claim 31, and is believed to be allowable based on objected-to claim 31 becoming independent in allowable form.

New Claim: Entry of new claim 39 is respectfully requested. New claim 39 is supported by the specification at page 27, paragraph [0050], for example. There, reference is made to a not-free descriptor buffer 208 that “may become free”, which is the result of the claim 39 fifth value that corresponds to the Table I identifier 230j, for example. The change of the claim 39 first value is illustrated by the Table I identifier 230g that is to be changed to point to the second data buffer, as is further described in paragraph [0042], page 20, at lines 4 & 5 of the paragraph. In view of new claim 39 being dependent on claim 6, allowance of claim 39 is respectfully requested.

App. No. 10/825,717
Amend. & Response Dated 11/7/06
Resp. to Action mailed 10/6/06

In view of these amendments and remarks, it is believed that this application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,
MARTINE PENILLA & GENCARELLA, LLP



Chester E. Martine, Jr.
Reg. No. 19,711

710 Lakeway Drive, Suite 200
Sunnyvale, CA 94085
(408) 774-6908
Customer Number 25920